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**GEOFFREY G. WHY**  
COMMISSIONER

April 1, 2014

Re: D.T.C. 14-2 – Pole Attachment Rate Complaint of Comcast of Massachusetts III, Inc. v. Peabody Municipal Light Plant and Peabody Municipal Lighting Commission

To All Parties:

On March 19, 2014, the Department of Telecommunications and Cable (“Department”) and the Department of Public Utilities (“DPU”) received the above-captioned pole attachment rate complaint of Comcast of Massachusetts III, Inc. (“Comcast”) against the Peabody Municipal Light Plant (“PMLP”) and Peabody Municipal Lighting Commission (“PMLC”) (the “Complaint”). I am the Hearing Officer assigned to this matter.

Pursuant to the Memorandum of Agreement (“MOA”) regarding the jurisdiction of pole attachment disputes, which was first executed on October 14, 2008, and subsequently renewed on February 7, 2014, all pole attachment complaints must be jointly reviewed by the Department and the DPU to determine the appropriate agency to adjudicate each pole attachment dispute.

After consultation, the Department and the DPU agree that the Department is the appropriate authority to adjudicate the Complaint. While the Department will adjudicate this Complaint, the DPU retains full rights of intervention.

Accordingly, the Department docket the Complaint as D.T.C. 14-2. Henceforth, all submissions related to the Complaint are to be filed in D.T.C. 14-2. Parties are also directed to serve copies of all filings in this docket on the DPU contemporaneously with their submission to the Department.

The response of PMLP and PMLC to the Complaint is due April 2, 2014. *See* 220 C.M.R. 45.05(1). After which the Department will establish a service list and schedule a procedural conference.

I look forward to the swift resolution of this matter.

Regards,

/s/Lindsay DeRoche

Lindsay DeRoche  
Hearing Officer

cc: Paul Abbott, General Counsel, Department of Telecommunications & Cable  
Mark Marini, Secretary, Department of Public Utilities  
Nicholas Scobbo, Esq.  
Philip Durkin, Esq.  
Glenn Trueira, Manager, Peabody Municipal Light Plant  
William Aylward, Chairman, Peabody Municipal Lighting Commission  
Kevin Conroy, Esq.  
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